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MEMO ENDORSED

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November 20, 2019

VIA ECF

Hon. Valerie Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Defendant's motion for leave to file an amended complaint, Dkt. 34, is GRANTED. Defendant's motion for judgment on the pleadings, Dkt. 31, is DENIED as moot. No later than **November 25, 2019**, Plaintiff must file the First Amended Complaint. Defendant must answer or otherwise respond to the First Amended Complaint **within 14 days after service of the First Amended Complaint**, see Fed. R. Civ. P. 15(a)(3).

RE: Creative Photographers, Inc. v. MP 36 West 10th Street LLC, et al
Case 1:19-cv-06145-VEC (S.D.N.Y.)

Dear Judge Caproni:

Pursuant to this Court's order of November 18, 2019, plaintiff Creative Photographers, Inc. ("Plaintiff"), and defendant Baeble Media, LLC ("Defendant"), file this joint letter clarifying the "agreement" between Defendant and Plaintiff referenced in paragraph four of the Parker Declaration. (Dkt. 34-2). Specifically, Defendant consents to Plaintiff's filing of its First Amended Complaint, and withdraws its current motion for judgment on the pleadings with respect to Plaintiff's original Complaint. (Dkt. 31). Defendant respectfully requests a renewed briefing schedule for its proposed motion for judgment on the pleadings with respect to Plaintiff's First Amended Complaint. (Dkt. 34-2, Ex. A).

Further, the entity "Lickerish, Ltd." that was identified in Dkt. 34-2 as "Plaintiff" was a mistake. The entity "Creative Photographers, Inc." should have been identified as "Plaintiff" in the document.

Attached hereto is a redline comparison of a draft of the proposed first amended complaint and the original complaint.

SO ORDERED.

Sincerely,



R. Terry Parker



11/20/2019

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

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